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4 JH KELLY, LLC,
5 Plaintiff,
6 v.
7 AECOM TECHNICAL SERVICES, INC.,
8 Defendant.

9 Case No. 20-cv-05381-HSG
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**ORDER SETTING BRIEFING
SCHEDULE FOR DISPOSITIVE AND
DAUBERT MOTIONS AND
CONTINUING PRETRIAL
CONFERENCE**

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13 Re: Dkt. No. 193
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Before the Court is Defendant AECOM Technical Services, Inc.’s (“AECOM”) request for leave to file a dispositive motion and three *Daubert* motions. Dkt. No. 193. Plaintiff JH Kelly, LLC (“JH Kelly”) agrees that a briefing schedule should be set for the *Daubert* motions, but it opposes the setting of a new dispositive motion deadline. *Id.* at 2. Having considered the matter, the Court finds good cause to alter the Scheduling Order and grants the parties leave to file the dispositive and *Daubert* motions identified in Docket No. 193. To that end, the Court sets the following schedule:

1. *Daubert* and dispositive motions are due by April 14, 2022.¹ All motions shall be limited to 25 pages.

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23 ¹ To be clear, AECOM is granted leave to file three *Daubert* motions and a single dispositive motion addressing the three different components of JH Kelly’s damages claim (with the dispositive motion not to exceed 25 pages total). In this dispositive motion, AECOM shall identify which of its motions in limine will be mooted by a ruling on the motion. JH Kelly is granted leave to file four *Daubert* motions. Although JH Kelly has not identified the contents of the dispositive motion it “anticipates” filing, JH Kelly is also granted leave to file a single dispositive motion. *See* Dkt. No. 193 at 2 (“JHK’s positions are that it . . . opposes the setting of a new dispositive motion deadline and the filing of dispositive motions at this juncture in the case; however, in the event the Court allows dispositive motion practice, then JHK anticipates filing a dispositive motion.”). The Court encourages Plaintiff’s counsel to consider whether its motion meets the standards applicable at the summary judgment stage, and urges them not to file an obligatory motion simply because the other side did.

- 1 2. Oppositions to *Daubert* motions are due by April 21, 2022. All opposition briefs
2 shall be limited to 25 pages.
- 3 3. Oppositions to dispositive motions are due by April 28, 2022. All opposition briefs
4 shall be limited to 25 pages.
- 5 4. Reply briefs in support of dispositive motions only are due by May 5, 2022. All
6 reply briefs shall be limited to 15 pages.
- 7 5. All *Daubert* and dispositive motions will be heard at the Pretrial Conference, which
8 is **CONTINUED** to May 31, 2022, at 11:00 a.m. The Pretrial Conference will be
9 held in-person in Oakland, Courtroom 2, 4th Floor before the undersigned.

10 This Order **TERMINATES** Docket No. 193.

11 **IT IS SO ORDERED.**

12 Dated: 4/5/2022

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14 HAYWOOD S. GILLIAM, JR.
15 United States District Judge